

Notice of Allowability

Application No.

10/022,926

Examiner

Thjuan P. Knowlin

Applicant(s)

ANDERSON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed on 07/10/06.
2. ☒ The allowed claim(s) is/are 1-9, 12-18, and 20-23 (now renumbered as claims 1-20).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


WING CHAN
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Attorney William E. Lewis (Reg. No. 39,274) on 09/18/06.

The application has been amended as follows:

23. (Amended) An article of manufacture for use in accordance with a user-interactive business-related processing system, the article comprising [a machine readable medium containing one or more programs which when executed] a computer readable medium encoded with a computer program executed by a computer to implement the steps of:

processing data obtained in association with one or more interactions a user has with one or more applications associated with the business-related processing system to compute a decision value representative of whether or not the user may need intervention with respect to the one or more applications, wherein the decision value is computed in accordance with a decision policy based on a combination of formal and heuristic reasoning, and further wherein the computed decision value is based on one or more attributes comprising at least one of: (i) an attribute representative of a

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business value associated with the user or the one or more applications;
(ii) an attribute representative of a frustration level attributable to the user with respect to the one or more interactions; (iii) an attribute representative of an estimated profit opportunity associated with the user; and (iv) an attribute representative of availability of resources capable of taking the action;

proactively causing the offering of the intervention to the user when the computed decision value represents a result indicative that the user is likely to need the intervention; and

permitting an individual to monitor one or more computed decision values, and adjust the decision policy, when necessary or desired, so as to improve business-related performance, wherein the individual is able to adjust the decision policy without a need for programming expertise.

Allowable Subject Matter

1. Claims 1-9, 12-18, and 20-23 are allowed.
2. The following is an examiner's statement of reasons for allowance: The invention as claimed is not disclosed nor rendered obvious in view of the prior art of record. As to independent claims 1, 9, 16, and 23, the prior art of record fails to teach or suggest, alone or in combination, the recited method, apparatus, and system, in which one or more interactions the user has with one or more applications associated with a business-related processing system is monitored, and offering an intervention to the user, proactively, when the computed decision value represents a result indicative that the user is likely to need the intervention,

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and an individual monitoring one or more computed decision values, and the individual adjusting the decision policy, when necessary or desired, so as to improve business-related performance, wherein the individual is able to adjust the decision policy without a need for programming expertise. No prior art was found that discloses or teaches the limitations of claims 1, 9, 16, and 23.

3. Claims 2-8, 12-15, 17, 18, and 20-22 are dependent upon claims 1, 9, and 16, respectively, therefore, claims 2-8, 12-15, 17, 18, and 20-22 are allowed.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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